

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

MICHAEL BOZEMAN, JR., )  
                            )  
                            )  
Movant,                 )  
                            )  
                            )  
vs.                      )                  Case No. 4:03CV1670 JCH  
                            )  
                            )  
UNITED STATES OF AMERICA, )  
                            )  
                            )  
Respondent.             )

**ORDER**

This matter is before the Court upon its review of the record. In its Case Management Order, the Court required Respondent to provide either a sworn affidavit from Movant's trial counsel or the transcript from any hearing on the issue of ineffective assistance of counsel. (Doc. No. 5). Respondent has failed to provide the Court with either an affidavit or a transcript.

Accordingly,

**IT IS HEREBY ORDERED** that Respondent is granted until **Tuesday, January 31, 2006**, within which to submit to the Court a sworn affidavit from Movant's trial counsel, Bradford C. Emert on the issue of Movant's allegations of ineffective assistance of counsel. Failure to do so will result in the Court's issuing rulings without the affidavit.

Dated this 30th day of December, 2005.

/s/ Jean C. Hamilton

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UNITED STATES DISTRICT JUDGE